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P/3704-23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:

Robert Barritz

Date: April 26, 2006

Serial No.: 09/829,894

Group Art Unit: 3625

Filed: April 10, 2001

Examiner: Robert E. Rhode, Jr.

For: AUTOMATED RETAIL WEBSITE CREATION

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

SUBMISSION IN ACCORDANCE WITH M.P.E.P. §713.04

Sir:

In accordance with M.P.E.P. §713.04, applicant submits the following with respect to a telephone interview granted between the Examiner and applicant's attorneys on April 25, 2006:

(A) A Brief Description of Exhibit

No exhibits were presented.

(B) Identification of Claims

Independent claim 1 was discussed. Claims 1-13 are pending.

(C) Identification of Prior Art

Bernardo and Catalog were discussed.

(D) Identification of Proposed Substantive Amendments

No amendments were presented.

(E) Brief Identification of Principal Arguments

Applicant's attorneys maintained that "criteria" and "substantially automatically" are not indefinite under 35 U.S.C. §112. Applicant's attorneys further maintained that the combined

teachings of Bernardo and Catalog do not disclose applicant's "website constructor" and corresponding elements. Therefore, applicant's claim 1 is not obvious under 35 U.S.C. §103.

(F) Indication of Pertinent Matters

None.

(G) Outcome of the Interview

The Examiner requested the applicant to file a response.

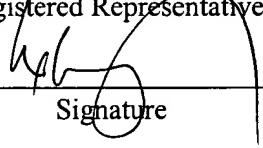
(H) A Paper Copy of the Interview Via Internet E-mail Must be on File With the Patent Application File

Not applicable.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on April 26, 2006:

Max Moskowitz

Name of applicant, assignee or  
Registered Representative

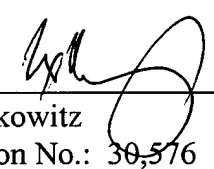
  
Signature

April 26, 2006

Date of Signature

MM:JJF:ck

Respectfully submitted,

  
Max Moskowitz

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